

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1099 be amended to read as follows:

1           Page 16, between lines 2 and 3, begin a new paragraph and insert:  
2           "SECTION 16. IC 22-11-14-16 IS ADDED TO THE INDIANA  
3           CODE AS A NEW SECTION TO READ AS FOLLOWS  
4           [EFFECTIVE UPON PASSAGE]: **Sec. 16. Fireworks are, for**  
5           **purposes of IC 34-20, unreasonably dangerous products. A**  
6           **manufacturer of consumer fireworks is strictly liable for any actual**  
7           **monetary damages arising from the death, bodily injury, or**  
8           **property damage caused by the use of the manufacturer's product**  
9           **in accordance with the provisions of IC 34-20-2-3 and IC 34-20-2-4**  
10          **without regard to warnings or defective condition. Nothing in this**  
11          **section is intended to modify any other provisions of tort or**  
12          **negligence law or to otherwise modify the legal liabilities of any**  
13          **party."**

14          Page 17, between lines 22 and 23, begin a new paragraph and insert:  
15          "SECTION 21. [EFFECTIVE UPON PASSAGE] (a)  
16          **Notwithstanding IC 22-11-14-2(a) and IC 22-11-14-8(d), both as**  
17          **amended by this act, and IC 22-11-14-3.5 and IC 22-11-14-15, both**  
18          **as added by this act, the fire safety and building commission shall**  
19          **carry out the duties imposed upon it by this act with respect to the**  
20          **matters referred to in IC 22-11-14-2(a) and IC 22-11-14-8(d), both**  
21          **as amended by this act, and IC 22-11-14-3.5 and IC 22-11-14-15,**  
22          **both as added by this act, under interim written guidelines**  
23          **approved by the state fire marshal.**

24          (b) This SECTION expires on the earlier of the following:  
25                (1) The date rules are adopted under IC 22-11-14-2(a) and  
26                IC 22-11-14-8(d), both as amended by this act, and  
27                IC 22-11-14-3.5 and IC 22-11-14-15, both as added by this  
28                act.

29                (2) December 31, 2007.  
30          SECTION 22. [EFFECTIVE UPON PASSAGE] (a)

1       Notwithstanding IC 22-11-14-11(d) and IC 22-11-14-15, both as  
2       added by this act, the department of state revenue shall carry out  
3       the duties imposed upon it by this act with respect to the matters  
4       referred to in IC 22-11-14-11(d) and IC 22-11-14-15, both as  
5       added by this act, under interim written guidelines approved by  
6       the commissioner of the department of state revenue.

7       (b) This SECTION expires on the earlier of the following:

8           (1) The date rules are adopted under IC 22-11-14-11(d) and  
9           IC 22-11-14-15, both as added by this act.

10          (2) December 31, 2007."

11       Renumber all SECTIONS consecutively.

(Reference is to EHB 1099 as printed February 24, 2006.)

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Senator FORD